

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

HO-04PCT

Applicant(s) : Mamoru Omuta  
Serial No. : 10/575,175  
Int. Filed : June 14, 2004  
For : FREIGHT RACK

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

In response to the Notification of Missing Requirements dated February 14, 2007 applicant submits herewith a duly executed declaration.

The amount of \$65.00 is being charged as per attached form PTO-2038.

Should any additional fee be required, the Commissioner is authorized to charge such fee, or credit any overpayment, to Deposit Account No. 11-1835.

As required, a copy of the Notification of Missing Requirements is attached.

Since all the missing requirements have now been supplied, it is submitted that the application is now complete and in form for examination. Accordingly, such examination and prompt allowance are earnestly solicited.

Respectfully submitted,



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Friedrich Kueffner  
Reg. No. 29,482

FK:ml  
April 11, 2007  
317 Madison Avenue  
New York, NY 10017  
(212) 986-3114

Encls:

Copy of Notification of Missing Requirements;  
Executed Declaration;  
PTO-2038 (\$65.00)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 11, 2007.



April 11, 2007

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Friedrich Kueffner



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/575,175	Mamoru Omuta	HO-04PCT

40570  
 FRIEDRICH KUEFFNER  
 317 MADISON AVENUE, SUITE 910  
 NEW YORK, NY 10017

**RECEIVED**  
 FEB 20 2007

FRIEDRICH KUEFFNER, PC

INTERNATIONAL APPLICATION NO.	
PCT/JP04/08665	
I.A. FILING DATE	PRIORITY DATE
06/14/2004	10/10/2003

**CONFIRMATION NO. 6815**

**371 FORMALITIES LETTER**

\*OC000000022490702\*

Date Mailed: 02/14/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/08/2006
- English Translation of the IA filed on 04/08/2006
- Copy of the International Search Report filed on 04/08/2006
- Copy of IPE Report filed on 04/08/2006
- Copy of Annexes to the IPE filed on 04/08/2006
- Preliminary Amendments filed on 04/08/2006
- Oath or Declaration filed on 04/08/2006
- Request for Immediate Examination filed on 04/08/2006
- U.S. Basic National Fees filed on 04/08/2006
- Priority Documents filed on 04/08/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

Additionally the following defects have been observed:

- The translations of Annexes are canceled since the translations were not submitted prior to 30 months from the priority date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/575,175	PCT/JP04/08665	HO-04PCT